

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

MICHAEL J. RUFFATTO

Criminal No. 16-167

---

**DEFENDANT'S UNOPPOSED MOTION TO CONTINUE PLEA HEARING**

---

TO THE HONORABLE JOY CONTI, CHIEF UNITED STATES DISTRICT JUDGE FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA:

COMES NOW Defendant Michael J. Ruffatto and, in advance of his plea hearing currently scheduled for August 25, 2016, respectfully requests a brief continuance of the plea hearing until on or about September 16, 2016 to accommodate the calendar of counsel for the Defendant, Mr. Ruffatto. In support of this Motion, Mr. Ruffatto states the following:

1. Defendant's Waiver and Plea Hearing is currently set before this Court for August 25, 2016 at 3:00 P.M.

2. Mr. Ruffatto and undersigned counsel both reside in Denver, Colorado and will be traveling from Denver to Pittsburgh for the Waiver and Plea Hearing. However, undersigned counsel, Jason Schall, has prepared and is scheduled to moderate a panel discussion in Denver, Colorado at 12:00 P.M. on the day following the currently scheduled hearing, August 26, 2016. This presentation has been planned for several months, includes out-of-town panelists arriving in Denver on the date of the currently-scheduled plea hearing, and a guest list of more than 100 attorneys. The current setting of this hearing will interfere with undersigned counsel's ability to

participate in this long-planned event. Given undersigned counsel's role in the panel discussion, an August 25, 2016 Waiver and Plea Hearing would likely result in cancelation of the panel discussion and CLE.

3. On Wednesday, August 10, 2016, undersigned counsel participated in a conference call with Assistant United States Attorney Mary Houghton and the Court's deputy clerk regarding this scheduling conflict. During the call, the parties discussed that the Court's next available plea setting would be Friday, September 16, 2016 at 3:30 P.M.

4. The Government, via AUSA Houghton, has no objection to continuing the plea hearing in this matter until that time. No party will be prejudiced by the modest continuance sought herein.

5. As such, Mr. Ruffatto moves to continue the plea hearing in his case until on or about September 16, 2016 at 3:30 P.M. For the convenience of the Court, and pursuant to LCrR 12, a proposed order accompanies the motion.

WHEREFORE, Defendant Michael Ruffatto hereby moves to continue the Waiver and Plea Hearing in his case until or about September 16, 2016 at 3:30 P.M.

Respectfully submitted this 18th day of August, 2016.

/s/ Jason D. Schall

Jason D. Schall

DAVIS GRAHAM & STUBBS LLP

1550 Seventeenth Street, Suite 500

Denver, Colorado 80202

Telephone: (303) 892-9400

jason.schall@dgsllaw.com

Attorneys for Defendant Michael J. Ruffatto

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **DEFENDANT'S UNOPPOSED MOTION TO CONTINUE PLEA HEARING** was filed and served via the ECF e-file system on this 18th day of August, 2016, addressed to the following:

Mary McKeen Houghton  
United States Attorney's Office  
700 Grant Street, Suite 4000  
Pittsburgh, PA 15219  
mary.houghton@usdoj.gov

/s/ Kathrine M. Aragon